



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION

**DEPARTMENT OF
TELECOMMUNICATIONS & ENERGY**
ONE SOUTH STATION

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May 16, 2005

VIA E-MAIL AND REGULAR, FIRST-CLASS MAIL

Jeffrey Stevens, Esq.
NSTAR
800 Boylston Street, 17th Floor
Boston, MA 02199

RE: Calder v. Boston Edison Company & NSTAR Gas Company, D.T.E. 05-AD-1

Dear Attorney Stevens:

Enclosed please find (1) information requests, (2) information regarding the format of an adjudicatory proceeding, and (3) tips for a more effective hearing. Responses to the information requests are due no later than **Wednesday, May 25, 2005**. If you decide to settle this matter, please submit a letter to that effect to the Department with a copy to the opposing party. If you have any questions, please feel free to contact me at 617-305-3612.

Sincerely,

Andrea Saia
Hearing Officer

cc: Ingrid Jannine Calder
Mary Cottrell, Secretary

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

**FIRST SET OF INFORMATION REQUESTS OF THE
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY
TO BOSTON EDISON COMPANY & NSTAR GAS COMPANY, D.T.E. 05-AD-1**

Pursuant to 220 C.M.R. § 1.06(6)(c), the Department of Telecommunications and Energy (“Department”) submits to Boston Edison Company (“BECo”) and NSTAR Gas Company (“NSTAR Gas”) the following Information Requests.

Instructions

The following instructions apply to this set of Information Requests and all subsequent Information Requests issued by the Department to BECo and NSTAR Gas in this proceeding.

1. Each request should be answered in writing on a separate, three-hole punch page with a recitation of the request, a reference to the request number, the docket number of the case, and the name of the person responsible for the answer.
2. Do not wait for all answers to be completed before supplying answers. Provide the answers as they are completed.
3. These requests shall be deemed continuing so as to require further supplemental responses if BECo and NSTAR Gas or its witnesses receive or generate additional information within the scope of these requests between the time of the original response and the close of the record in this proceeding.
4. The term “Department” means the Department of Telecommunications & Energy, One South Station, Boston, Massachusetts 02110.
5. The term “Property” means the property located at 27 Mayhew Street, Framingham, Massachusetts.
6. The term “provide complete and detailed documentation” means:

Provide all data, assumptions and calculations relied upon. Provide the source of and basis for all data and assumptions employed. Include all studies, reports and planning documents from which data, estimates or assumptions were drawn and support for how the data or assumptions were used in developing the projections or estimates. Provide and explain all supporting workpapers.
7. The term “document” is used in its broadest sense and includes, without limitation, writings, drawings, graphs, charts, photographs, phono-records, microfilm, microfiche, computer printouts, correspondence, handwritten notes, records or reports, bills, checks, articles from journals or other sources and other data compilations from which information can be obtained and all copies of such documents that bear notations or other markings that differentiate such copies from the original.
8. The term “BECo” means BECo, its agents, servants, or employees.
9. The term “NSTAR Gas” means NSTAR Gas, its agents, servants, or employees.

10. If any one of these requests is ambiguous, notify the Hearing Officer so that the request may be clarified prior to the preparation of a written response.
11. Serve a copy of the responses on each of the following: Mary Cottrell, Secretary, at the Department's above address; Ms. Ingrid Jannine Calder, 1330 Commonwealth Avenue, Unit 5, Allston, Massachusetts 02134; and to Andrea Saia, Hearing Officer at the Department's above address.

Requests

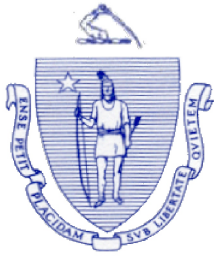
- DTE 1-1 State the gas and electric account numbers for the accounts at issue in this matter for the property located at 27 Mayhew Street, Framingham, Massachusetts (“Property”).
- DTE 1-2 Describe: (a) the time period in dispute for the gas account, (b) the amount of money in dispute for the gas account, (c) the time period in dispute for the electric account, (d) the amount of money in dispute for the electric account.
- DTE 1-3 Provide copies of any and all documents pertaining to the Property, including, but not limited to, copies of any correspondence from or to Ms. Calder, correspondence and/or notices sent by BECo or NSTAR Gas and invoices or bills.
- DTE 1-4 Provide a copy of all BECo and NSTAR Gas bills and provide the payment history for the Property during the time period stated in response to DTE 1-2 above.
- DTE 1-5 State whether BECo and NSTAR Gas have calculated the amount of money in dispute, and if so, provide a detailed explanation of the method used for such calculation. If not, prepare a calculation and describe the method.
- DTE 1-6 Identify the legal theory that is the basis of this dispute. Provide any additional documentation determined appropriate to support NSTAR Gas’s and BECo’s position.
- DTE 1-7 State when Ms. Calder first notified BECo that she was no longer responsible for the electric service at the Property. By what method did Ms. Calder contact BECo to terminate electric service to the property?
- DTE 1-8 State when Ms. Calder first notified NSTAR Gas that she was no longer responsible for the gas service at the Property. By what method did Ms. Calder contact NSTAR Gas to terminate electric service to the property?
- DTE 1-9 Please provide BECo’s Terms and Conditions related to (a) terminating service and/or transferring responsibility for an account, and (b) the method(s) of notice customers may use when notifying BECo that a customer is no longer responsible for an account or property.
- DTE 1-10 Please indicate whether BECo has a practice of accepting notice for termination of service or transfer of responsibility in a form other than that outlined in BECo’s Terms and Conditions.
- DTE 1-11 Did Ms. Calder provide notice to BECo to terminate service or transfer responsibility for the account relative to the Property?
- (a) If the answer is yes, was this notice to terminate service or transfer responsibility consistent with BECo’s Terms and Conditions?
 - (b) By what method did Ms. Calder provide notice?
 - (c) When did Ms. Calder provide notice?
- DTE 1-12 Please provide NSTAR Gas’s Terms and Conditions related to (a) terminating service and/or transferring responsibility for an account, and (b) the method(s)

of notice customers may use when notifying NSTAR Gas that a customer is no longer responsible for an account or property.

- DTE 1-13 Please indicate whether NSTAR Gas has a practice of accepting notice for termination of service or transfer of responsibility in a form other than that outlined in NSTAR Gas's Terms and Conditions.
- DTE 1-14 Did Ms. Calder provide notice to NSTAR Gas to terminate service or transfer responsibility for the account relative to the Property?
(a) If the answer is yes, was this notice to terminate service or transfer responsibility consistent with NSTAR Gas's Terms and Conditions?
(b) By what method did Ms. Calder provide notice?
(c) When did Ms. Calder provide notice?
- DTE 1-15 Did NSTAR Gas receive a copy of a December 5, 2001 letter sent by Ms. Calder to her landlord, Mr. Mallegni, and indicating that "[a]ny and all responsibilities will be transferred over to the new tenants IE, Rent, Heat, Electricity, Disposal."?
- DTE 1-16 Did BECo receive a copy of a December 5, 2001 letter sent by Ms. Calder to her landlord, Mr. Mallegni, terminating her tenancy at the Property, and indicating that "[a]ny and all responsibilities will be transferred over to the new tenants IE, Rent, Heat, Electricity, Disposal."?
- DTE 1-17 Please provide NSTAR Gas's Terms and Conditions related to establishing more than one account in a customer's name.
- DTE 1-18 Please provide BECo's Terms and Conditions related to establishing more than one account in a customer's name.
- DTE 1-19 When did BECo first learn of Ms. Calder's change in residence from the Property to her new address at 1330 Commonwealth Avenue, Unit 5, Allston, Massachusetts?
- DTE 1-20 When did NSTAR Gas first learn of Ms. Calder's change in residence from the Property to her new address at 1330 Commonwealth Avenue, Unit 5, Allston, Massachusetts?
- DTE 1-21 When did BECo first bill Ms. Calder at 1330 Commonwealth Avenue, Unit 5, Allston, Massachusetts for charges related to the Property? Please provide a copy of this bill and the bill sent for the previous billing period.
- DTE 1-22 When did NSTAR Gas first bill the Customer at 1330 Commonwealth Avenue, Unit 5, Allston, Massachusetts for charges related to the Property? Please provide a copy of this bill and the bill sent for the previous billing period.
- DTE 1-23 Did BECo receive any communications from anyone other than Ms. Calder regarding the Property concerning the time period in dispute?
- DTE 1-24 Please provide a chronology of bills for all NSTAR Gas bills and all BECo bills for the Property billed to Ms. Calder, indicating specifically (a) the address to

which they were sent, (b) the billing date, (c) the charges for that billing period, and, (d) the total accrued charges.

DTE 1-25 Did BECo receive any communications from anyone other than Ms. Calder regarding the Property concerning the time period in dispute? If the answer is yes, please provide a copy of those communications.



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COMMISSIONER

May 16, 2005

VIA CERTIFIED MAIL AND REGULAR, FIRST-CLASS MAIL

Ingrid Jannine Calder
1330 Commonwealth Avenue, Unit 5
Allston, MA 02134

RE: Calder v. Boston Edison Company & NSTAR Gas Company, D.T.E. 05-AD-1

Dear Ms. Calder:

Enclosed please find (1) information requests, (2) information regarding the format of an adjudicatory proceeding, and (3) tips for a more effective hearing. Responses to the information requests are due no later than **Thursday, May 26, 2005**. If you decide to settle this matter or to withdraw your request for a formal hearing for any reason, please submit a letter to that effect to the Department with a copy to the opposing party. If you have any questions, please feel free to contact me at 617-305-3612.

Sincerely,

Andrea Saia
Hearing Officer

cc: Jeffrey Stevens, Esq., NSTAR
Mary L. Cottrell, Secretary

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

**FIRST SET OF INFORMATION REQUESTS OF THE
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY
TO INGRID JANNINE CALDER, D.T.E. 05-AD-1**

Pursuant to 220 C.M.R. § 1.06(6)(c), the Department of Telecommunications and Energy (“Department”) submits to Ingrid Jannine Calder (“Complainant” or “Ms. Calder”) the following Information Requests.

Instructions

The following instructions apply to this set of Information Requests and all subsequent Information Requests issued by the Department to Ms. Calder in this proceeding.

1. Each request should be answered in writing on a separate, three-hole punch page with a recitation of the request, a reference to the request number, the docket number of the case and the name of the person responsible for the answer.
2. Do not wait for all answers to be completed before supplying answers. Provide the answers as they are completed.
3. These requests shall be deemed continuing so as to require further supplemental responses if Ms. Calder or her witness receives or generates additional information within the scope of these requests between the time of the original response and the close of the record in this proceeding.
4. The term “Department” means the Department of Telecommunications & Energy, One South Station, Boston, Massachusetts 02110.
5. The term “Property” means the property located at 27 Mayhew Street, Framingham, Massachusetts.
6. The term “BECo” means BECo, its agents, servants, or employees.
7. The term “NSTAR Gas” means NSTAR Gas, its agents, servants, or employees. 6. The term “provide complete and detailed documentation” means:

Provide all data, assumptions and calculations relied upon. Provide the source of and basis for all data and assumptions employed. Include all studies, reports and planning documents from which data, estimates or assumptions were drawn and support for how the data or assumptions were used in developing the projections or estimates. Provide and explain all supporting workpapers.

8. The term “document” is used in its broadest sense and includes, without limitation, writings, drawings, graphs, charts, photographs, phono-records, microfilm, microfiche, computer printouts, correspondence, handwritten notes, records or reports, bills, checks, articles from journals or other sources and other data compilations from which information can be obtained and all copies of such documents that bear notations or other markings that differentiate such copies from the original.

9. If any one of these requests is ambiguous, notify the Hearing Officer so that the request may be clarified prior to the preparation of a written response.
10. Please serve a copy of the responses on each of the following: Mary Cottrell, Secretary, at the Department's above address; Jeffrey Stevens, Esq., NSTAR, 800 Boylston Street, 17th Floor, Boston, Massachusetts 02199; and, Andrea Saia, Hearing Officer, at the Department's above address.

Requests

- DTE 1-1 State the gas and electric account numbers for the accounts at issue in this matter for the Property.
- DTE 1-2 Describe: (a) the time period in dispute for the gas account, (b) the amount of money in dispute for the gas account, (c) why you dispute this amount, (d) the time period in dispute for the electric account, (e) the amount of money in dispute for the electric account, and (f) why you dispute this amount.
- DTE 1-3 Provide copies of any and all documents pertaining to the Property, including, but not limited to, copies of any notices or correspondence from or to NSTAR Gas or BECo and invoices or bills.
- DTE 1-4 State, to the best of your knowledge, how you determined the amount in dispute for both the NSTAR Gas and BECo accounts.
- DTE 1-5 Provide your payment history for the Property during the time period stated in response to DTE 1-2 above.
- DTE 1-6 To the extent you are able, identify the legal theory that is the basis of your dispute. Provide any additional documentation you determine appropriate to support your claim.
- DTE 1-7 State your relationship, if any, to the tenant that moved in to the Property after you moved out.
- DTE 1-8 State whether you provided notice to NSTAR Gas to terminate service or transfer responsibility for the account relative to the Property, and, if yes, describe the method and timing of such notice.
- DTE 1-9 State whether you provided notice to BECo to terminate service or transfer responsibility for the account relative to the Property, and, if yes, describe the method and timing of such notice.
- DTE 1-10 (a) Did you receive bills each month for gas service to the Property during the time period in dispute?
(b) To what address(es) were gas bills sent for the time period in dispute?
(c) If the bills were sent to more than one address, please indicate the address and the billing date for each bill.
- DTE 1-11 (a) Did you receive bills each month for electric service to the Property during the time period in dispute?
(b) To what address(es) were electric bills sent for the time period in dispute?
(c) If the bills were sent to more than one address, please indicate the address and the billing date for each bill.